

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: Per-Ake Larson

Application No.: 10/805,083

Filed: March 19, 2004

Customer No.: 22971

Title: ENFORCING CURRENCY AND CONSISTENCY CONSTRAINTS IN DATABASE  
QUERY PROCESSING

Attorney Docket No.: 306979.01

Group Art Unit: 2163

Examiner: Alford W. Kindred

Confirmation Number: 7709

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT OF FACTS UNDER 37 CFR 1.137(b)**

Sir:

This statement of facts concerning delay accompanies a corresponding Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) filed herewith.

**Remarks** begin on page 2 of this paper.

Type of Response: Amendment  
Application Number: 10/805,083  
Attorney Docket Number: 306979.01  
Filing Date: March 19, 2004

## **REMARKS**

The following facts are provided in support of the corresponding Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b). In the present application:

1) An original Declaration and Power of Attorney was filed with the Office on March 19, 2004, appointing attorneys and/or agents associated with Customer Number 27441 to prosecute the application (see “Declaration and Power of Attorney”, Exhibit A). Customer Number 27441 was associated with the law firm of Watts Hoffman Co., L.P.A. (hereinafter “Watts Hoffman”). The original Declaration and Power of Attorney also indicated the correspondence address as the address of Watts Hoffman in Cleveland, Ohio.

2) A new power of attorney to prosecute the application was filed with the Office on March 14, 2005, revoking all previous powers of attorney given in the application (see “Power of Attorney to Prosecute Applications Before the USPTO”, Exhibit B). The new power of attorney also appointed practitioners associated with Customer Number 22971 to prosecute the application, and changed the correspondence address to the address associated with Customer Number 22971. Customer Number 22971 was and is associated with Microsoft Corporation in Redmond, Washington.

3) The Office incorrectly mailed a first Office Action on October 2, 2006, to Watts Hoffman in Cleveland, Ohio (see Exhibit C). No reply was made to the Office Action, resulting in abandonment of the application.

4) The Office incorrectly mailed a Notice of Abandonment on April 17, 2007, to Watts Hoffman in Cleveland, Ohio (see Exhibit D).

Type of Response: Amendment  
Application Number: 10/805,083  
Attorney Docket Number: 306979.01  
Filing Date: March 19, 2004

Applicants respectfully request that the Office update its records for the present application to incorporate the information contained in the new power of attorney (as shown in Exhibit B) filed with the Office on March 14, 2005. Specifically, the new power of attorney revokes all previous powers of attorney given in the present application and appoints practitioners associated with Customer Number 22971. Additionally, the new power of attorney changes the correspondence address to the address associated with Customer Number 22971.

Respectfully submitted,  
Microsoft Corporation

Date: February 22, 2008

By: /Sung T. Kim/

Sung T. Kim, Reg. No.: 45,398  
Attorney for Applicant  
Direct telephone: (703) 647-6574  
Microsoft Corporation  
One Microsoft Way  
Redmond WA 98052-6399

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

February 22, 2008  
Date

/Noemi Tovar/  
Noemi Tovar

Type of Response: Amendment  
Application Number: 10/805,083  
Attorney Docket Number: 306979.01  
Filing Date: March 19, 2004

MAR 1 6 2005

## EXHIBIT B

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

22971

OR

☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with  
Customer Number:

22971

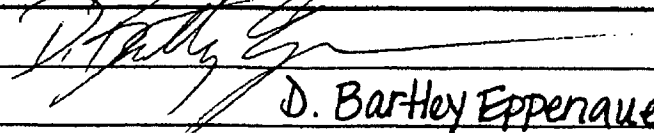
Assignee Name and Address:

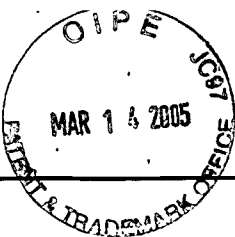
MICROSOFT CORPORATION  
ONE MICROSOFT WAY  
REDMOND, WA 98052

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

## SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	12/20/2004
Name	D. Bartley Eppenauer	Telephone	425-703-0045
Title	Assistant Secretary		



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Microsoft Corporation

Application No./Patent No.: 10/805,083

Filed/Issue Date: March 19, 2004

Entitled: ENFORCING CURRENCY AND CONSISTENCY CONSTRAINTS IN DATABASE QUERY PROCESSING

Microsoft Corporation

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignments were recorded in the United States Patent and Trademark Office at Reel \_\_\_\_, Frame \_\_\_\_; or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee pursuant to the accompanying copy of an executed General Power of Attorney (PTO/SB/80).

3/19/05  
Date

(425) 707-3913  
Telephone number

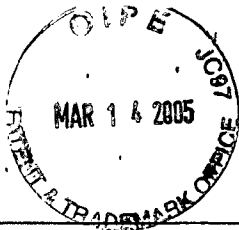
Raul B. Heynssens

Typed or printed name

Raul B. Heynssens  
Signature

Patent Attorney – Registration No. 47,648

Title



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial Number.....N/A  
Filing Date.....N/A  
Inventorship.....Larson et al.  
Applicant.....Microsoft Corporation  
Attorney's Docket No. ....16-570  
Title: Enforcing Currency and Consistency Constraints in Database Query Processing

PATENT ASSIGNMENT

PARTIES TO THE ASSIGNMENT

Assignor(s):

Per-Åke Larson  
14923 NE 76<sup>th</sup> Court  
Redmond, WA 98052

Jonathan David Goldstein  
12721 NE 81<sup>st</sup> PI  
Kirkland, WA 98033

Raghu Ramakrishnan  
1210 West Dayton Street  
Madison, WI 53706

Hongfei Guo  
1210 West Dayton Street  
Madison, WI 53706

Assignee:

Microsoft Corporation  
Corporation in the State of Washington  
One Microsoft Way  
Redmond, WA 98052


## AGREEMENT

WHEREAS, ASSIGNOR(S) (listed above) are inventor(s) of an invention entitled "Enforcing Currency and Consistency Constraints in Database Query Processing," as described and claimed in the specification forming part of an application for United States letters patent referenced above;

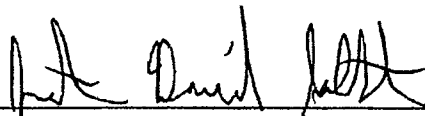
WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at One Microsoft Way, Redmond, WA 98052, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S) hereby sell, assign and transfer unto ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR(S) had this assignment, transfer and sale not been made. ASSIGNOR(S) hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR(S) agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

3/16/2004  
Date

  
Per-Åke Larson

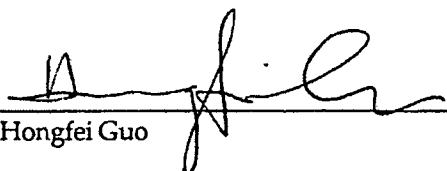
3/16/2004  
Date

  
Jonathan David Goldstein

                      
Date

                      
Raghu Ramakrishnan

3/16/2004  
Date

  
Hongfei Guo



\_\_\_\_\_  
Date


\_\_\_\_\_  
Per-Ake Larson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jonathan David Goldstein

Mar 19, 2004

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Raghu Ramakrishnan

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hongfei Guo

## PATENT APPLICATION

## DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO. 16-570MS DOCKET NO. 306979.1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Enforcing Currency and Consistency Constraints in Database Query Processing

the specification of which is filed herewith unless the following box is checked:

( ) was filed on \_\_\_\_\_ as US Application Serial No. or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

## Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C.
			YES: ____ NO: ____
			YES: ____ NO: ____

## POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) associated with

Customer No. 27441

to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to: Jennifer Nock Hinton	Direct Telephone Calls To: Jennifer Nock Hinton
Contact Name: Jennifer Nock Hinton	Contact Name: Jennifer Nock Hinton
Firm Name: Watts Hoffmann Co., L.P.A.	Contact Phone Number: 216-241-6700
Firm Address: 1100 Superior Avenue, Suite 1750	
City, State and Zip: Cleveland, Ohio 44114	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Per-Ake Larson

Citizenship: Canada

Residence: 14923 NE 76<sup>th</sup> Court, Redmond, WA 98052

Post Office Address: 14923 NE 76<sup>th</sup> Court, Redmond, WA 98052

  
\_\_\_\_\_  
Inventor's Signature

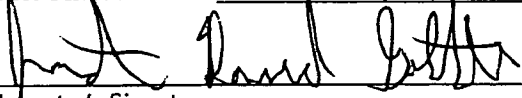
3/16/2004  
\_\_\_\_\_  
Date

Full Name of Inventor: Jonathan David Goldstein

Citizenship: USA

Residence: 12721 NE 81<sup>st</sup> Pl, Kirkland, WA 98033

Post Office Address: 12721 NE 81<sup>st</sup> Pl, Kirkland, WA 98033

  
\_\_\_\_\_  
Inventor's Signature

3/16/2004  
\_\_\_\_\_  
Date

Full Name of Inventor: Raghu Ramakrishnan

Citizenship: USA

Residence: 1210 West Dayton Street, Madison, WI 53706

Post Office Address: 1210 West Dayton Street, Madison, WI 53706

\_\_\_\_\_  
Inventor's Signature

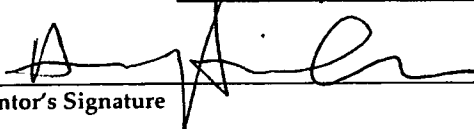
\_\_\_\_\_  
Date

Full Name of Inventor: Hongfei Guo

Citizenship: China

Residence: 1210 West Dayton Street, Madison, WI 53706

Post Office Address: 1210 West Dayton Street, Madison, WI 53706

  
\_\_\_\_\_  
Inventor's Signature

3/16/2004  
\_\_\_\_\_  
Date

<b>DECLARATION AND POWER OF ATTORNEY</b>
<b>ATTORNEY DOCKET NO. 16-570</b>
<b>MS DOCKET NO. 306979.1</b>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Per-Ake Larsson

Citizenship: Canada

Residence: 14923 NE 76<sup>th</sup> Court, Redmond, WA 98052

Post Office Address: 14923 NE 76<sup>th</sup> Court, Redmond, WA 98052

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Jonathan David Goldstein

Citizenship: USA

Residence: 12721 NE 81<sup>st</sup> Pl, Kirkland, WA 98033

Post Office Address: 12721 NE 81<sup>st</sup> Pl, Kirkland, WA 98033

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Full Name of Inventor: Raghu Ramakrishnan

Citizenship: USA

Residence: 1210 West Dayton Street, Madison, WI 53706

Post Office Address: 1210 West Dayton Street, Madison, WI 53706

  
\_\_\_\_\_  
Inventor's Signature

Mar 19, 2004  
Date

Full Name of Inventor: Hongfei Guo

Citizenship: China

Residence: 1210 West Dayton Street, Madison, WI 53706

Post Office Address: 1210 West Dayton Street, Madison, WI 53706

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date



EXHIBIT C

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,083	03/19/2004	Per-Ake Larson	16-570	7709

7590 10/02/2006

WATTS HOFFMANN CO., L.P.A.  
Ste. 1750  
1100 Superior Avenue  
Cleveland, OH 44114

EXAMINER

KINDRED, ALFORD W

ART UNIT PAPER NUMBER

2163

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/805,083

Applicant(s)

LARSON ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,13,20,21 and 32 is/are rejected.
- 7) ☒ Claim(s) 2-12,14-19,22-31 and 33-41 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 3/14/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**Detailed Action**

1. This action is responsive to communications: Application, filed on 03/19/04.

***Allowable Subject Matter***

2. Claims 2-12, 14-19, 22-31 and 33-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach and/or suggest "a constraint parser that interprets and converts the currency constraint into a form usable by the query optimizer . . . constructs a query plan for executing the query . . . subplan selection operators that check a currency of a local replica against a query's currency constraint . . . wherein the query processing engine executes the query plan . . . a result that satisfies the query's currency constraints."

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 13, 20-21, and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Carey et al., US# 20010049685.

As per claims 1, 13, 20-21, and 32, Carey et al. teaches "a constraint parser that interprets and converts the currency constraint into a form usable by the query optimizer; a query plan generator that constructs a query plan for executing the query, wherein the plan includes one or more subplan selection operators that check a currency of a local replica against the query's currency constraint" (see abstract and paragraph [0096] and [0097]) "selects the subplan using the local replica only when the constraint is met; and wherein the query processing engine executes the query plan, including the subplan selection operators, thereby producing a result that satisfies the query's currency constraints" (see paragraph [0177] and [0190]).



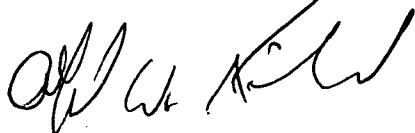
Art Unit: 2163

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100



EXHIBIT D

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,083	03/19/2004	Per-Ake Larson	16-570	7709

7590 04/17/2007  
WATTS HOFFMANN CO., L.P.A.  
Ste. 1750  
1100 Superior Avenue  
Cleveland, OH 44114

EXAMINER	
KINDRED, ALFORD W	

ART UNIT	PAPER NUMBER
2163	

MAIL DATE	DELIVERY MODE
04/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Abandonment**

Application No.

10/805,083

Examiner

Alford W. Kindred

Applicant(s)

LARSON ET AL.

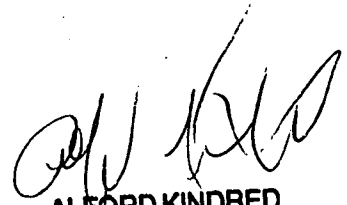
Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 02 October 2006.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
**ALFORD KINDRED**  
**PRIMARY EXAMINER**

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.